

An example of how well a bipartisan FISA reform bill can function is the Protect America Act. I have said before that the PAA did exactly what it was intended to do: it closed the intelligence gaps that threatened the security of our Nation and our troops. It did so in a truncated fashion, but it worked for 6 months.

Now, there are some Members who criticize the PAA and call it flawed. But let there be no doubt, the PAA has been a great success. It did not open any new powers that had not existed before the technology changed and brought applications of new limitations on our collectors.

Next, I want to call attention to a letter received by the Senate Select Committee on Intelligence on January 25 from the DNI. Director McConnell wrote that the authorities provided by Congress, through the Protect America Act, passed in August of last year, have "allowed the Intelligence Community to collect vital foreign intelligence information, and made the Nation safer by enabling the IC to close gaps in our foreign intelligence collection."

Let me repeat that: It has enabled the intelligence community to close gaps in our foreign intelligence collection.

More specifically, Director McConnell said the PAA has enabled the intelligence community to obtain information related to disruption of planned terrorist attacks against Americans, efforts by an individual to become a suicide operative, instructions to a foreign terrorist associate about entering the United States, efforts by terrorists to obtain guns and ammunition, terrorist facilitator plans to travel to Europe, information on money transfers; plans for future terrorist attacks, and movements of key extremist groups to evade arrest—among others.

While I cannot say anything more publicly about these examples, I can say these are examples of how the PAA disrupted ongoing and planned attacks against our interests, our allies, and our citizens. The Director did send the committee a classified letter laying out the details of these disruptions. He also gave examples of how collection—that had faltered because of a FISA Court decision in the spring—was renewed under the PAA. As a result, key intelligence against terrorists was collected.

I have reviewed the letter. I think any of our colleagues interested in this subject should go to the Senate Intelligence Committee offices or to S-407 to read the classified letter for themselves to see how the PAA has helped save American lives.

Director McConnell has told us some targets might not have been pursued without the PAA because of the administrative, analytic, and legal burden of seeking FISA orders. Keep in mind, these orders would have been FISA orders to collect information on foreigners, not Americans.

It is clear from my reading of Director McConnell's letter that most of the

successes he identified would not have occurred had it not been for the PAA.

While the PAA has been key to gathering unique and vital intelligence information, Director McConnell does not support its extension. The reason he does not support the renewal—one that has been critical to enabling the intelligence community he leads to do its job—is because it does not include retroactive civil liability protection. In his letter, and on numerous occasions—and in every substantive discussion I have had with him—the Director has said that we cannot gather this kind of information in sensitive intelligence areas without the cooperation of private parties.

Despite the success of the intelligence community's ability to collect intelligence under the PAA, Director McConnell does not support its extension without this retroactive civil liability provision because he believes the voluntary cooperation of private parties is necessary to the success of the program. I have stated previously in answers to questions of my colleagues precisely why it would work. By implication, it seems he is concerned, wisely, I believe, that carriers will no longer cooperate with the Government if they fear being dragged into expensive lawsuits.

Again, for all these reasons, we must pass and get the bill out of here—I hope at least by early next week—and pass a conference report before February 15. The Rockefeller-Bond substitute is that bill.

A lot of questions have been asked about when we are going to move forward. We have exchanged papers back and forth. Chairman ROCKEFELLER's staff and my staff have negotiated extensively. We need to get the concurrence of the leaders on both sides. I hope we are close to getting a workable framework. This is such a critical piece of legislation. I do not want to hold it up any longer.

I know my colleagues have been waiting for votes. Nobody has been more anxious than Chairman ROCKEFELLER and I. We understand how important this issue is. We hope to give this body some real action on moving the bill forward sooner rather than later. We will need the leaders, who will make the decisions. We will need the cooperation of all colleagues on both sides. Let's hope we can come to a successful resolution.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, there will be no rollcall votes tonight. We will see

what we can do tomorrow to come to some conclusion on the stimulus package, at least get on the road to how we are going to have some votes. And we will have some votes; it is just a question of when we will have them.

On FISA, we thought we had it worked out a few minutes ago, but it came "unworked." So we are going to continue to see what we can do. I have told Senator MCCONNELL we are doing our very best to wrap that up so we can have agreement. But an agreement is two sided. It is not just us. We think we have a way to complete that so we can finish our work on it, but it is a work in progress. I thought we had it done a few minutes ago, but it didn't work out that way. So we will see what we can do tomorrow on these issues, but there will be no votes tonight.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL.) Without objection, it is so ordered.

ECONOMIC STIMULUS

Mr. BAUCUS. Madam President, the psalmist prayed:

Do not cast me off when I am old. Do not forsake me when my strength fails.

That is really the question before us as we get to the economic stimulus bill, which is the bill that is going to send out rebate checks to Americans: Will the Senate cast off 20 million seniors? Will the Senate forsake 20 million of the neediest Americans?

A vote for the Finance Committee substitute is a vote for 20 million American senior citizens who have worked hard all their lives, who have paid taxes for a lifetime. They contribute to the economy today. But the underlying House-passed bill would not give them a rebate check.

The House-passed bill says no to 20 million American seniors. The House bill gives checks only to the more affluent seniors whose incomes are high enough that they pay taxes now. The House-passed bill would not give a stimulus check to seniors who are scraping by on Social Security income alone and have no tax liability. To state it differently, the House-passed bill says no to the most neediest seniors, not only 20 million American seniors, but the House bill says no to the 20 million American seniors who happen to be the most needy. These 20 million seniors have given a lifetime of labor. They have given a lifetime of service, and they have paid a lifetime of taxes. The House-passed bill would not give them a stimulus check.

Think of a grandmother who needs money for food, medicine. America's economy is slowing down. Times are

getting tough for her. Prices for food, gasoline, and home heating oil have skyrocketed right before our eyes. She has a harder time making ends meet. For many of our Nation's senior citizens, their only source of funds for these necessities is a once-a-month envelope from Social Security. Any Social Security beneficiary will tell that you she has not seen the amount of her check increased enough to cover today's rising costs. I am sure the benefits may be going up a little bit, but they clearly do not cover the increase in rising costs. Again, the Finance Committee package says yes to those 20 million American seniors who we believe should be included. They should also get a rebate check. The House-passed bill says no to those 20 million American seniors. It says to seniors who happen to be the most needy, no, we are not going to give you a rebate check. That is the basic reason why I believe the Senate Finance Committee package passed today is by far the better alternative.

Just think, when Congress acts on an economic stimulus package this week, tomorrow, whenever it is, we should insist on that tax rebate for the 20 million low-income seniors who can use that money right now. A rebate for seniors is no feel-good measure. Obviously, it is the right thing to do. Rebates for 20 million more seniors will help the economic stimulus package work better. Why is that? Because seniors are among America's most likely to spend a refund right away and pump cash back into the economy.

This chart basically demonstrates that. According to the Bureau of Labor Statistics, Americans over age 65 are responsible for over 14 percent of all consumer spending. People over 65 spend 92 percent of their yearly incomes. That is represented by the horizontal bar in blue, a little bit of purple over on the right. So people over 65 spend 92 percent of their yearly income. People over age 75 spend 98 percent of their incomes. That is higher than any other demographic group over the age of 25.

Seniors spend the money they receive. They have to, in most cases, spend the money they receive. It is the right thing to do, to give senior citizens access to that rebate check. Why exclude them? Why cut seniors out as the House does? That is not right. In addition, seniors spend the money they receive. Seniors over age 65 spend 92 percent of the money they receive, and seniors over 75 years of age spend 98 percent of the income they receive. So seniors will spend that rebate check right away. That will make the rebate check all the more effective in helping the economy.

The Senate needs to do the right thing by America's seniors and by the American economy. We should extend the tax rebate to 20 million American senior citizens living on Social Security. The Finance Committee substitute will help 20 million seniors who

were left out of the House bill. The Finance Committee amendment will provide seniors with a rebate check of \$500 and \$1,000, if they are married.

What is more, the Finance Committee amendment helps a quarter of a million disabled veterans with rebate checks. So far I have talked only about senior citizens. The House-passed bill does not give rebate checks to disabled American veterans. The House bill does not provide low-income disabled veterans rebate checks. That is, the House bill does not give rebate checks to a quarter of a million, and that is because they do not provide low-income disabled vets with rebate checks.

The House discriminates against lower income seniors, 20 million American seniors. It discriminates against lower income disabled vets. It says no to a quarter of a million disabled veterans. We in the Finance Committee say, no, we should say yes to seniors. We should say yes also to disabled veterans who will get the same rebate check as an upper income disabled vet.

What is more, the Finance Committee amendment helps people who have lost their jobs. Don't you think that is the right thing to do, help people who have lost their jobs, particularly as we are either in a recession or close to a recession? The Finance Committee amendment provides an additional 13 weeks of unemployment insurance, and high unemployment States will qualify for an extra 13 weeks. The House bill does not provide an extension for unemployment insurance. It says no. It says, no, I am sorry, too bad. If you have lost your job and your 26 weeks is already up, which is the case for a higher proportion of America's unemployed today than at any other time in recent history, the House says, no, sorry. Even though you need the money, even though you would have clearly spent the rebate check, they say, no. The House bill doesn't provide that extension.

There are almost a million more unemployed Americans than there were unemployed a year ago. The Congressional Budget Office found that unemployment insurance has a great bang for the buck. That is, people who are unemployed who receive their unemployment insurance spend it. In fact, economy.com, a company which analyzes these things—their person testified today or yesterday before the Budget Committee—found that each dollar spent on extended unemployment insurance benefits would generate \$1.64 in increased economic activity. That is a good one. In straight economic terms, for every \$1 spent, \$1.64 is the result in increased economic activity.

The bipartisan stimulus bill enacted after 9/11 included an unemployment insurance extension. President Bush signed that extension. Why don't we do it now? We all know what dire straits the economy is in. The Federal Reserve system cut the Fed funds rate another half percent. When you add it up in the

last 4 or 5 months, 1 percent plus three-quarters plus another half, what does that amount to? That is a 2¼-percent-age points reduction in the last several months. They are worried. But those rate cuts take time to work their way through the economy. An economic stimulus package has an effect right away. That is why we believe we should have components in the economic stimulus package which improve upon the House bill and give 20 million seniors rebate checks and a quarter of a million disabled vets rebate checks and also extended unemployment benefits.

The Finance Committee amendment helps American businesses that need help. The Finance Committee amendment would extend what is called the carryback period for net operating losses from 2 years to 5 years. Why is that important? Generally, a cyclical business has some profitable years followed by loss years. During loss periods, the company will carry back the net operating losses for the lost years to the prior profitable years. They will file a quick refund claim. The quick refund claim acts as a cash infusion and allows the company to survive the loss period. The House bill doesn't take care of that. The housing industry would greatly benefit from an increased carryback period.

This whole economic downturn was sparked by a so-called subprime problem, the housing problem, a glut of houses. And the expanded period would allow builders to avoid selling land and houses at distressed prices.

Additionally, it would enable less costly financing, improving business conditions for an eventual return of the housing market. The expanded period would give the housing industry cash to meet payroll. That is not a bad thing to do when we are in an economic downturn. That would stop additional job losses. The National Association of Manufacturers has written us in the committee in support of the Finance Committee's net operating loss proposal because they know it is the right thing to do to help maintain jobs.

These are all good reasons to vote for the Finance Committee substitute. It would help disabled veterans. It would help unemployed Americans. It would help businesses struggling with the business cycle. It would help 20, I think the figure is 20 million American senior citizens. I start where I began. I repeat this point because it is so important. The biggest difference between the Finance Committee substitute and the underlying House bill is 20 million seniors. A vote for the Finance Committee substitute is a vote for those seniors. Keep this in mind: 20 million, right here. That is the number of seniors to whom we would give rebate checks because it is the right thing to do, to add 20 million to the House-passed bill, which does not give rebate checks, which is clearly the wrong thing to do.

Senators should not cast off seniors. Senators should not forsake them. Rather, let us recognize their lifetimes

of labor, recognize their key role in stimulating the economy. Look at our senior citizens. They are the real salt, the rock of America. Our mothers and fathers and grandfathers, most of them passed through the Depression era. Some are a little old for the Depression era, but they have values that are so important for our country. They are the people who paid taxes all their lives. They worked all their lives. They provided service to so many of us and our families and to other neighbors in the community. Let us recognize their key role in stimulating the economy, and let us pass the Finance Committee substitute for those 20 million American seniors.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN MEMORY OF SISTER DOROTHY MARIE HENNESSEY

Mr. HARKIN. Madam President, on January 25, all who work and struggle for social and economic justice, who dedicate themselves to peace and ending war, lost a wonderful friend in Sister Dorothy Marie Hennessey. The world lost a true Christian soul who, in her own quiet, humble way, fought relentlessly for peace and social justice.

Sister Dorothy lived 94 years, 67 of them as a member of the Sisters of St. Frances. She was the eldest of 15 brothers and sisters who grew up on a farm near Oneida, IA, taught by their parents that the Golden Rule was not an abstraction but a way of life. She fondly always remembered that her family "always fed and housed the tramps who came to [their] farm."

Sister Dorothy kept her theology simple and straightforward. She said:

I've learned in 75 years in the convent that God is a compassionate God who loves all of us, but who also loves the poor and the people who are oppressed.

But Sister Dorothy also believed, in the words of President Kennedy, that "God's work on Earth must truly be our own." She was the opposite of a cloistered nun. She was an activist. She stepped forward boldly, if humbly, to make the world a better and fairer and more just place.

She taught in Catholic schools in the Dubuque area for 28 years and another 4 years in Portland, OR. But in the 1960s, her social consciousness came alive. She was deeply disturbed by the tragedy unfolding in Vietnam. And she was shocked to learn from her brother, also a priest—Father Ron Hennessey, a longtime missionary in Latin America—about the atrocities committed by dictators and their death squads in Central America.

Father Ron was, as we know—and he was a friend of mine, and I knew him well—also a friend of Archbishop Oscar Romero of El Salvador, and he witnessed the Salvadoran military firing on mourners after the archbishop's assassination.

Sister Dorothy became a leader in a newly formed human rights group in Dubuque and spent the rest of her life engaging in principled acts of dissent and protest, at times putting her own life at risk.

For example, in 1984, she went to Nicaragua with the group Witness for Peace, acting as human shields to protect northern border villages from attacks by the CIA-backed Contras.

In 1986, at the age of 73, she joined more than 1,000 activists in the Great Peace March for Global Nuclear Disarmament, traveling 3,500 miles from Los Angeles to Washington, DC—at the age of 73.

Beginning in 1997, she participated in annual protests at the School of the Americas at Fort Benning, GA, where graduates had been implicated in human rights abuses all over Latin America, Central America, including the murder of six Jesuit priests in El Salvador.

Sister Dorothy was arrested three times for crossing the line onto the Army base. On the third occasion, at the age of 88, she was one of 3,600 protesters who were arrested. Twenty-six of them were selected by lottery to be prosecuted in Federal court, including Sister Dorothy and her sibling, Sister Gwen, also a Franciscan Nun.

Sister Dorothy was sentenced by a Federal judge to 6 months of detention in her convent, but she refused this leniency. She insisted on receiving the same treatment as her other 25 co-defendants. So her sentence was changed to 6 months at the Federal Prison Camp in Illinois. As a Des Moines Register columnist noted, "She was allowed to take her hearing aids, but not her Bible."

After a month and a half, she was transferred to a correctional facility in Dubuque, supposedly for health reasons. But Sister Dorothy knew better. The real reason was the Federal Government's sheer embarrassment at incarcerating an 88-year-old nun because she dared to stand up for justice.

During her time in prison, Sister Dorothy was interviewed by a reporter with the Public Broadcasting System. She said:

I feel that it's our duty. We can't protest everything, but we can pick out some of the worst things to protest, and that's what I've tried to do.

So into her eighties, nineties, Sister Dorothy continued to find new ways to serve people and to help change the world for the good. From 1996 to 2000, she worked as a daily volunteer at Clare House, a residence in Cedar Rapids for people with AIDS. She cooked and cleaned for the patients. She spoke out loudly and clearly, also, for the rights of gays and lesbians.

On a personal note, I will always be grateful to Sister Dorothy for her many years of friendship and counsel. It has been one of the privileges of my life to know so many members of that wonderful, wonderful Hennessey family—Father Ron, all the years he risked his life in Central America, and both Sister Dorothy and Sister Gwen, and another sister. There is Sister Miriam, who was tragically killed in a car incident some years ago. What a wonderful family.

Sister Dorothy worked for a while as a senior intern in my Dubuque office. I say "for a while"—actually, for 8 years. She was a great mentor and inspiration to all of my staff.

So I will always cherish my friendship not only with Sister Dorothy but also with Sister Gwen, Sister Miriam, Father Ron, and so many other members whom I have known of the entire Hennessey family.

Madam President, as you can clearly see, Sister Dorothy was a remarkable person. I am reminded of the old saying: We make a living by what we make; but we make a life by what we give. Throughout her amazing life, Sister Dorothy was the ultimate giver. She gave her adult life to the church and to the Sisters of St. Frances. She gave more than three decades of dedicated service to her students. She gave her service on boards and in countless volunteer organizations. And, as I have pointed out, she gave of herself in dissent and protest many times against oppression and to end war.

She gave us her moral passion. She gave us her fine Christian example. She gave us her courage and decency, her love and friendship. She gave it all she had to make sure the world was a better place, that we all—had that prickling conscience that things were not right when poor people suffered, when war became the norm, when there were so many abuses of human rights and oppression against the disenfranchised and the poor in this country and in other places around the globe.

So after a rich lifetime of service, Sister Dorothy has been called home. She left the world a better place. I am deeply grateful to have had her as a friend. To all of the Franciscan nuns, to her family, of course, my deepest condolences from me and all of my family on her passing, but also our deepest thanks for sharing such a wonderful, magnificent person with us during her lifetime.

We will remember her and hopefully honor Sister Dorothy by continuing to do what we can to make sure that our Government works more for social justice and economic justice, that we turn away from the instruments of war and the funding for war and making war sort of the norm, and that we reach out in understanding and peace to the rest of the world. She would have not only asked nothing less, she would have demanded nothing less of us.